



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No.: 67228-274933 (f/k/a 19059.010)

In re Application of:

RICHARD J. BACON

Serial No.: 09/912,078

Filed: July 24, 2001

For: CREATING IMBALANCED
THRUST IN A CENTER LINE
MOUNTED MULTI-ENGINE JET
AIRCRAFT CONFIGURATION
AND A METHOD OF USING
IMBALANCED THRUST

) Examiner: Lulit Semunegus

) Art Unit: 3641

) Confirmation No.: 3350

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APR 14 2004

GROUP 3600

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage via first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: April 8, 2004.

FAEGRE & BENSON LLP

Michelle L. Wyss

Michelle L. Wyss

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
PURSUANT TO 37 C.F.R. § 1.181(a)

Sir:

In response to the Notice of Abandonment mailed March 23, 2004, Applicant respectfully requests the Commissioner to withdraw the Examiner's holding of abandonment of the above-referenced patent application as the application is not in fact abandoned.

STATEMENT OF FACTS

A final Office Action was mailed by the United States Patent and Trademark Office (USPTO) in the above-referenced patent application on July 15, 2003. The undersigned responded to the final Office Action on January 15, 2004 (within the six-month statutory time period) by submitting the following papers to the USPTO via facsimile to (703) 872-9306:

1. Transmittal Form (1 page);
2. Notice of Appeal (1 page);

Atty. Docket No.: 67228-274933 (f/k/a 19059.010)
Serial No.: 09/912,078
Petition Dated: 04/08/2004
Reply to NOA: 03/23/2004

3. Petition for 3-month Extension of Time (1 page);
4. Fee Transmittal (1 page);
5. Credit Card Payment Form (1 page); and
6. Change of Correspondence Address (1 page).

A copy of the above documents are attached hereto as **Appendix A**, including the fax confirmation report and the USPTO Auto-Reply confirming timely receipt of such documents by the USPTO on January 15, 2004.

POINT TO BE REVIEWED

A Notice of Abandonment was mailed by the USPTO on March 23, 2004, indicating the above-referenced patent application was abandoned for failure to timely reply to the outstanding Office Action of July 15, 2003. The undersigned respectfully requests the Commissioner to review this holding of abandonment in view of the timely filing of a Notice of Appeal on January 15, 2004.

ACTION REQUESTED

The undersigned respectfully requests the Commissioner to withdraw the Examiner's holding of abandonment of the above-referenced patent application as the application is not in fact abandoned.

INVITATION FOR A TELEPHONE INTERVIEW

A USPTO representative, e.g., the Commissioner, the Examiner, or whomever may be delegated the task of acting on this Petition, is requested to call the undersigned at (303) 607-3633 if there remains any issue with withdrawing the erroneous holding of abandonment of the above-referenced patent application.

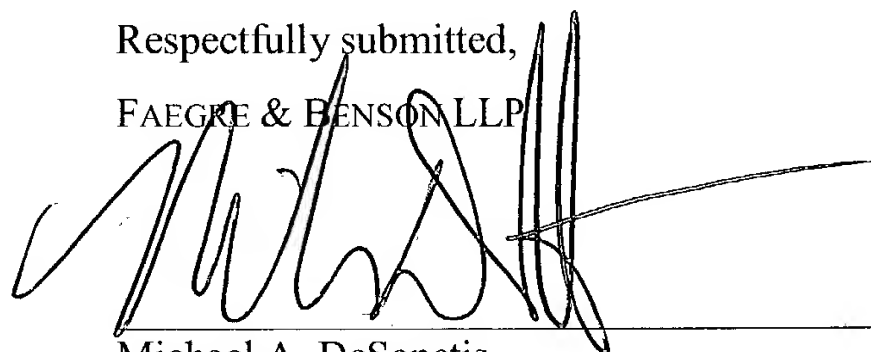
Atty. Docket No.: 67228-274933 (f/k/a 19059.010)
Serial No.: 09/912,078
Petition Dated: 04/08/2004
Reply to NOA: 03/23/2004

CHARGE OUR DEPOSIT ACCOUNT

Please charge any shortage to our Deposit Account No. **06-0029**.

Respectfully submitted,

FAEGRE & BENSON LLP

A handwritten signature in black ink, appearing to read 'Michael A. DeSanctis', is written over a horizontal line. The signature is stylized with large, sweeping loops.

Michael A. DeSanctis

Reg. No. 39,957

3200 Wells Fargo Center

1700 Lincoln Street

Denver, CO 80203

(303) 607-3633

Date: April 8, 2004

DNVR1:60262089.02

APPENDIX A

Faegre & Benson LLP

Auto-Reply Facsimile Transmission

JAN 15 2004

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APR 12 2004
TO: Fax Sender at 3036073600
Fax Information:
Date Received: 1/15/2004 5:18:37 PM [Eastern Standard Time]
Total Pages: 7 (including cover page)

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Jan-15-04 03:15pm From:FAEGRE&BENSON LLP 3036073600 T-101 P-01/07 F-306	
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FACSIMILE TRANSMISSION	
FROM: Michael A. DeSantis (Faegre & Benson LLP - Customer No. 35657)	TELEPHONE: 303/607-3633
DATE: January 15, 2004	TIME: 3:22 p.m. (Denver)
NUMBER OF PAGES (including this page): 7	F&B FILE: 274933 REC:
TO: U.S. Patent and Trademark Office	TELEPHONE: 703-872-9306 FAX:
MESSAGE	
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
Applicant(s): Richard J. Bacon Atty. Docket No.: 67228-274933	
Title: Creating Imbalanced Thrust in a Center Line Mounted Multi-Engine Jet Aircraft Configuration	
and a Method of Using Imbalanced Thrust	
Serial No.: 09/912,078	Examiner: Semunegus, Luli
Filing Date: 07/24/2001	Group Art Unit: 3641
	Confirmation No.: 3350
CERTIFICATION OF TRANSMISSION UNDER 37 CFR 1.8	
I HEREBY CERTIFY THAT THE CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE FAX NO. 703-872-9306, ON <u>JANUARY 15, 2004</u> <u>DENISE E. VOZIS</u> <u>Denise E. Vozis</u> (PERSON MAKING THE TRANSMISSION OR ATTORNEY OF RECORD)	
Attached Correspondence:	1) Transmittal Form (1 pg.) 2) Notice of Appeal (1 pg.) 3) Petition for 3-month Extension of Time (1 pg.) 4) Fee Transmittal (1 pg.) 5) Credit Card Payment Form (1 pg.) 6) Change of Correspondence Address (1 pg.)
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PAGE 1/7 * RCVD AT 1/15/2004 5:18:37 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-15 * DNS:8729306 * CSID:3036073600 * DURATION (mm:ss):03:04	

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NUMBER OF PAGES (including this page): 7		F&B FILE: 274933	REC:
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Applicant(s): Richard J. Bacon
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TELEPHONE:
FAX: 703-872-9306

MESSAGE

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